

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)
v.)
BENJAMIN EDWARD HENRY BRADLEY)
Criminal No. 3:15-cr-00037-2
Judge Trauger

ORDER

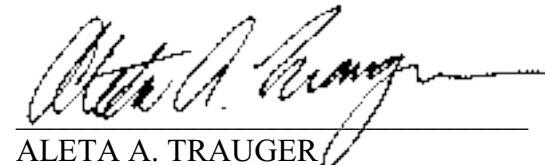
The defendant has filed a Motion to Reconsider Denial of Second Motion for Compassionate Release (Doc. No. 1333), to which he has filed two Supplements (Doc. Nos. 1338, 1346), and to which the government has filed a Response (Doc. No. 1344). The defendant requests reconsideration of this court’s Order denying his Second Request for Compassionate Release, which Order was based upon the fact that the defendant was in the process of being vaccinated against COVID-19. (Doc. No. 1332).

The defendant cites to what the government describes as “outlier” cases where courts have granted motions for compassionate release, despite a defendant’s being fully vaccinated against COVID-19. Indeed, cases granting compassionate release to inmates who have been fully vaccinated are either very distinguishable from Mr. Bradley’s or simply view vaccination as less of a safeguard against severe illness than this court, and most other courts, view it. The vast majority of decisions, in this circuit and nationwide, find that compassionate release is not justified, even for inmates with CDC-qualified medical conditions that place them at increased risk, if they have been fully vaccinated. Admittedly, there have been deaths from COVID-19 by fully-vaccinated individuals,

but these are few and far between. Overall, the Pfizer and Moderna vaccines especially are extremely effective in preventing serious illness or death from COVID-19.

For these reasons, the defendant's Motion to Reconsider Denial of Second Motion for Compassionate Release (Doc. No. 1333) is DENIED.

It is so **ORDERED**.



ALETA A. TRAUGER
U.S. District Judge